IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL REVISION No. 931 of 1996

PUNAM CHAND
V/S
KHIVA RAM & ORS

Mr. KC SAMDARIA, for the appellant / petitioner

Mr. CHAITANYA GEHLOT, for the respondent

Date of Order : 13.1.2005

HON'BLE SHRI N P GUPTA,J.

ORDER

The matter comes up on account of non-submission of documents. However, from the perusal of impugned order, it transpires that the learned trial court has declined permission to get certain documents exhibited, which order is clearly an interlocutory order within the parameters laid down by Hon'ble the Supreme Court in Surya Dev Rai Vs. Ram Chandra Rai and ors. Reported in 2003(6) SCC, 675, and is held to be not permissible to be revised under Sec. 115 CPC, as such, this revision petition is dismissed. It will, however, be open to the petitioner to seek whatever other remedies that may be available to the petitioner in view of the aforesaid judgment of Hon'ble Supreme Court. The interim order, if any, obviously stands vacated, and the learned trial court is directed to expeditiously proceed with the trial of the main suit and decide the suit most expeditiously.

(N P GUPTA),J.

/Srawat/